



RECEIVED

APR 16 2003

TECH CENTER 1600/2900

PATENT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on April 9, 2003.

Jane A. Walker

April 9, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tseung et al.
Serial No.: 09/483,248
Filed: January 14, 2000
Examiner: Gitomer
Group Art Unit: 1651
Confirmation No.: 8145
Title: **METHOD AND APPARATUS FOR AUTOMATIC TISSUE STAINING**
Atty Docket: LABV/03

Cincinnati, Ohio 45202

April 9, 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

ELECTION

In response to the Office Action mailed on March 11, 2003 in the above referenced application, applicants elect claims 29-38 (Group I) and cancel claims 39 and 40 (Group II) without prejudice. Applicants respectfully request the Examiner to reconsider the restriction between Groups I and III because claim 41 (Group III) is also directed to a method of staining a slide; a new slide added to an in-process staining protocol.

Applicants believe that no fees are necessary with this submission. Should the Examiner deem otherwise, please apply them to Deposit Account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By Beverly A. Lyman
Beverly A. Lyman
Reg. No. 41,961

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
513 241 2324
513 421 7269 (facsimile)